

QUIN DENVIR, Bar #49374
Federal Defender
TIM SCHARDL, Fla. Bar #73016
Assistant Federal Defender
801 I Street, 3rd Floor
Sacramento, California 95814
Telephone: (916) 498-6666

Attorneys for Petitioner
LANCE IAN OSBAND

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LANCE IAN OSBAND,

Petitioner,

v.

JAMES STOKES, Acting Warden, San
Quentin State Prison,

Respondent.

NO. CIV-S-97-0152 WBS KJM

CAPITAL CASE

**ORDER GRANTING PETITIONER'S MOTION
FOR APPOINTMENT OF ADDITIONAL
COUNSEL UNDER 18 U.S.C. § 848(q)**

Petitioner has filed a motion requesting the appointment of co-counsel to represent him in these proceedings. Specifically, Petitioner, through the Federal Defender, has requested the appointment of attorney Tim Brosnan, who represented Petitioner on direct appeal and in state habeas corpus proceedings. Mr. Brosnan has been deemed qualified by the selection committee.

Congress has given persons sentenced to death by state courts the right to counsel in federal habeas corpus proceedings. 21 U.S.C. § 848(q). Although the Federal Defender has been representing Petitioner, this Court has appointed prior state-court counsel to represent other capital habeas corpus petitioners. *See, e.g., Coddington v. Warden*, CIV-01-1290-MCE-GGH-P; *Holt v. Warden*, CIV-97-6210-AWI-P; *Riel v. Warden*, CIV-01-0507-LKK-KJM-P; *Sanchez v. Warden*, CIV-98-0180-AWI-P.

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1 The Court finds GOOD CAUSE for appointing Mr. Brosnan to act as co-counsel for
2 Petitioner. Therefore, Petitioner's motion is GRANTED.

3 Tim Brosnan, State Bar No. 75938, is hereby appointed co-counsel for Petitioner.

4 IT IS SO ORDERED.

5 Dated: July 28, 2005.

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8 UNITED STATES MAGISTRATE JUDGE
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